

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA**

THE STATE OF ALABAMA)
)
)
 Plaintiff,) CASE NO. 2:06cv920-MHT
)
 v.)
)
 ABBOTT LABORATORIES, INC., et al.,)
)
)
 Defendants.)

MOTION FOR ADMISSION *PRO HAC VICE*

Pursuant to Rule 83.1 of the Local Rules of the United States District Court for the Middle District of Alabama (the “Local Rules”), Baxter Healthcare Corporation and Baxter International Inc. (“Baxter”) hereby move this Court to grant that Merle M. DeLancey, Jr., Esq., and Jason D. Wallach, Esq., of Dickstein Shapiro Morin & Oshinsky LLP, 1825 Eye Street, N.W., Washington, DC 20006, be admitted to appear on behalf of defendant Baxter and to practice before this Court in the above-entitled action. As grounds for this motion, the undersigned counsel respectfully represents the following:

1. Mr. DeLancey is a member in good standing of the bars of the following Federal Courts:

United States District Court for the District of Maryland

United States Court of Appeals for the District of Columbia Circuit

United States District Court for the Eastern District of Virginia

United States Court of Appeals for the Fourth Circuit

2. Mr. DeLancey is a member in good standing of the bar of the District of Columbia, which has assigned him a bar number of 435036;

3. Mr. Wallach is a member in good standing of the United States District Court for the District of Columbia;

4. Mr. Wallach is a member in good standing of the bar of the District of Columbia, which has assigned him a bar number of 456154;

5. There are no disciplinary proceedings pending against Mr. DeLancey as a member of the bar in any jurisdiction;

6. There are no disciplinary proceedings pending against Mr. Wallach as a member of the bar in any jurisdiction;

7. In further support of this motion, Mr. DeLancey has submitted herewith his Certificate of Good Standing as required by Local Rule 83.1 and, attached as Exhibit 1, a true and correct copy of his certificate of good standing from the United States District Court for the Eastern District of Virginia; and

8. In further support of this motion, Mr. Wallach has submitted herewith his Certificate of Good Standing as required by Local Rule 83.1 and, attached as Exhibit 2, a true and correct copy of his certificate of good standing from the United States District Court for the District of Columbia.

WHEREFORE, the undersigned counsel respectfully moves Mr. DeLancey's and Mr. Wallach's admission to practice before this Court *pro hac vice*.

Respectfully submitted,

/s/ J. Rushton McClees
J. Rushton McClees (MCCLJ8805)
Sirote & Perrott, P.C.
2311 Highland Avenue South
Birmingham, AL 35205
Tel: (205) 930-5100
Fax: (205) 930-5101

Dated: October 25, 2006

CERTIFICATE OF SERVICE

I hereby certify that on October 25, 2006, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to counsel. I further certify that I have, on this day, served this pleading to counsel of record through the LexisNexis File and Serve system, pursuant to Case Management Order No. 2.

/s/ J. Rushton McClees
Of Counsel

Exhibit “1”

**United States District Court
for the District of Columbia
CLERK'S OFFICE
333 Constitution Avenue, NW
Washington, DC 20001**

I, **NANCY M. MAYER-WHITTINGTON**, Clerk of the United States

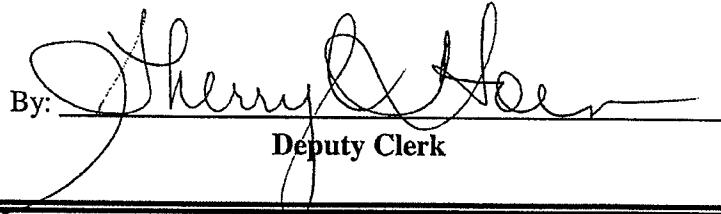
District Court for the District of Columbia, do hereby certify that:

MERLE MILLER DELANCEY

was, on the 4th day of January A.D. 1993 admitted to practice as an Attorney at Law at the Bar of this Court, and is, according to the records of this Court, a member of said Bar in good standing.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of said Court in the City of Washington this 26th day of October A.D. 2006.

NANCY M. MAYER-WHITTINGTON, CLERK

By: 
Deputy Clerk

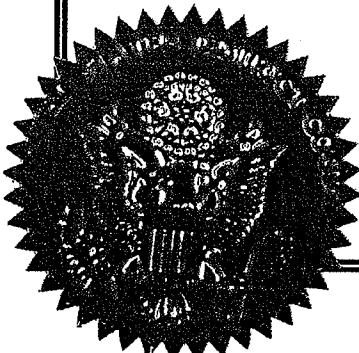


Exhibit “2”

United States District Court
for the District of Columbia
CLERK'S OFFICE
333 Constitution Avenue, NW
Washington, DC 20001

I, **NANCY M. MAYER-WHITTINGTON**, Clerk of the United States

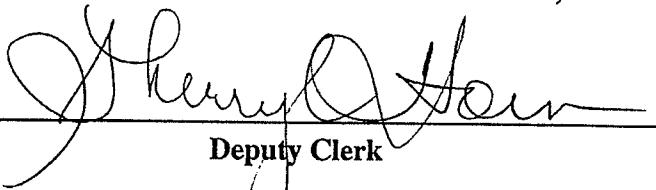
District Court for the District of Columbia, do hereby certify that:

JASON DREW WALLACH

was, on the 5th day of March A.D. 2001 admitted to practice as an Attorney at Law at the Bar of this Court, and is, according to the records of this Court, a member of said Bar in good standing.

In Testimony Whereof, I hereunto subscribe my name and affix the seal of said Court in the City of Washington this 26th day of October A.D. 2006.

NANCY M. MAYER-WHITTINGTON, CLERK

By: 
Deputy Clerk

